

FILED: December 27, 2017

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 17-2418 (L)  
(1:06-cv-02773-CCB)

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THE COALITION FOR EQUITY AND EXCELLENCE IN MARYLAND  
HIGHER EDUCATION, INC., a/k/a Coalition for Equity and Excellence in  
Maryland Higher Education; RASHAAN SIMON, a/k/a Rahsaan Simon; DAVID  
J. BURTON; MURIEL THOMPSON; ANTHONY ROBINSON; DR. CHRIS  
HEIDELBERG; DAMEIN MONTGOMERY; KELLY THOMPSON; J. S.

Plaintiffs - Appellees

and

SALLY C. MCMILLAN; TINA M. VINES; DAVID BUTLER; DAPO  
OLADAPO; NICHOLAS WASHINGTON; DANIELLE WILLIAMS; ZENIA  
WILSON; JESSICA WINSLOW; CRYSTAL MYERS; JOMARI SMITH;  
WAYNE BECKLES

Plaintiffs

v.

MARYLAND HIGHER EDUCATION COMMISSION; ANWER HASAN,  
Chairman of the Maryland Higher Education Commission; JENNIE C. HUNTER-  
CEVERA, Acting Secretary of Higher Education; STATE OF MARYLAND

Defendants - Appellants

and

ROBERT L. EHRLICH, JR., Governor; STATE OF MARYLAND; CALVIN W.  
BURNETT, Secretary of Higher Education

Defendants

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No. 17-2451  
(1:06-cv-02773-CCB)

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THE COALITION FOR EQUITY AND EXCELLENCE IN MARYLAND  
HIGHER EDUCATION, INC., a/k/a Coalition for Equity and Excellence in  
Maryland Higher Education; RASHAAN SIMON, a/k/a Rahsaan Simon; DAVID  
J. BURTON; MURIEL THOMPSON; ANTHONY ROBINSON; DR. CHRIS  
HEIDELBERG; DAMEIN MONTGOMERY; KELLY THOMPSON; J.S.

Plaintiffs - Appellants

and

SALLY C. MCMILLAN; TINA M. VINES; DAVID BUTLER; NICHOLAS  
WASHINGTON; DANIELLE WILLIAMS; ZENIA WILSON; JESSICA  
WINSLOW; CRYSTAL MYERS; JOMARI SMITH; WAYNE BECKLES;  
DAPO OLADAPO

Plaintiffs

v.

MARYLAND HIGHER EDUCATION COMMISSION; ANWER HASAN,  
Chairman of the Maryland Higher Education Commission; JENNIE C. HUNTER-  
CEVERA, Acting Secretary of Higher Education; STATE OF MARYLAND

Defendants - Appellees

and

ROBERT L. EHRLICH, JR., Governor; STATE OF MARYLAND; CALVIN W.  
BURNETT, Secretary of Higher Education

Defendants

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O R D E R

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The court consolidates Case No. 17-2451 with Case No. 17-2418(L) as cross appeals. The appellant in Case No. 17-2418(L) shall be considered the appellant for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk